APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/716,273	11/21/2000	Hubert Helaine	Q61623	8432

23373 7590 06/03/2005	EXAMINER
SUGHRUE MION, PLLC	IQBAL, KHAWAR

2100 PENNSYLVANIA AVENUE, N.W.	ART UNIT	PAPER NUMBER
SUITE 800	---	---
WASHINGTON, DC 20037	2686	

DATE MAILED: 06/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on 21 March 2005.

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
    closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-24* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-24* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
        application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2.   Claims 1-24 are rejected under 35 U.S.C. 102(e) as being unpatentable by

Stewart et al (6571221).

3.   Regarding claim 1 Stewart et al teaches a telecommunication terminal for

accessing a data network via an access network using a set of provisioning data, the

terminal comprising (figs. 1-5):

means for storing a current set of provisioning data (col.2, line 57-col. 3, line 32);

means for storing at least one set of protected provisioning data that cannot be

updated without the intervention of the terminal user (col. 2, line 57-col. 3, line 32, col. 4,

lines 20-30,col. 9, line 62-col. 10, line 5, col. 17, lines 25-35); and

means for selecting a set of provisioning data from a group of the current set of

primary provisioning data and the set of protected primary provisioning data (col. 2, line

57-col. 3, line 32, col. 4, lines 20-30,col. 9, line 62-col. 10, line 5,col. 15, line 58-col. 16,

line 25, col. 17, lines 25-35), wherein a connection to the data network is set up using

the selected set of provisioning data (col. 2, line 57-col. 3, line 32, col. 4, lines 20-30,col. 9, line 62-col. 10, line 5,col. 15, line 58-col. 16, line 25, col. 17, lines 25-35).

Regarding claim 8 Stewart et al teaches a telecommunication terminal for accessing a data network via an access network using a set of provisioning data, the terminal comprising (figs. 1-5):

means for storing a current set of provisioning data, means for storing at least one set of protected provisioning data that cannot be updated without the intervention of an access network operator (col. 2, line 57-col. 3, line 32, col. 4, lines 20-30,col. 9, line 62-col. 10, line 5,col. 15, line 58-col. 16, line 25, col. 17, lines 25-35), and

means for selecting a set of provisioning data from a group of the current set of primary provisioning data and the set of protected primary provisioning data (col. 2, line 57-col. 3, line 32, col. 4, lines 20-30,col. 9, line 62-col. 10, line 5,col. 15, line 58-col. 16, line 25, col. 17, lines 25-35), wherein a connection to the data network is set up using the selected set of provisioning data (col. 2, line 57-col. 3, line 32, col. 4, lines 20-30,col. 9, line 62-col. 10, line 5,col. 15, line 58-col. 16, line 25, col. 17, lines 25-35).

Regarding claim 15 Stewart et al teaches a telecommunication terminal for accessing a data network via an access network using a set of provisioning data, the terminal comprising (figs. 1-5):

means for storing a current set of provisioning data; means for storing at least one set of protected provisioning data that cannot be updated without the intervention of the access provider (col. 2, line 57-col. 3, line 32, col. 4, lines 20-30,col. 9, line 62-col. 10, line 5,col. 15, line 58-col. 16, line 25, col. 17, lines 25-35)

means for selecting a set of provisioning data from a group of the current set of primary provisioning data and the set of protected primary provisioning data (col. 2, line 57-col. 3, line 32, col. 4, lines 20-30,col. 9, line 62-col. 10, line 5,col. 15, line 58-col. 16, line 25, col. 17, lines 25-35), wherein a connection to the data network is set up using the selected set of provisioning data (col. 2, line 57-col. 3, line 32, col. 4, lines 20-30,col. 9, line 62-col. 10, line 5,col. 15, line 58-col. 16, line 25, col. 17, lines 25-35).

Regarding claim 22 Stewart et al teaches a method of updating provisioning data in a telecommunications terminal for accessing a data network via an access network and an access provider, the method comprising (figs. 1-5):

backing up provisioning data for an access network, an access provider or a user; and protecting the backed up provisioning data to prevent it being updated without the intervention of the user, an access network operator or the access provider (col. 2, line 57-col. 3, line 32, col. 4, lines 20-30,col. 9, line 62-col. 10, line 5,col. 15, line 58-col. 16, line 25, col. 17, lines 25-35).

Regarding claim 2 Leung et al teaches wherein the terminal is a mobile terminal (Fig. 1A, 111).

Regarding claims 3,10 and 17 Stewart et al teaches packet switched data using Internet protocol or wireless application protocol (col. 2, line 57-col. 3, line 32, col. 4, lines 20-30,col. 9, line 62-col. 10, line 5,col. 15, line 58-col. 16, line 25, col. 17, lines 25-35).

Regarding claims 4,11,18 Stewart et al teaches wherein the protected provisioning data storage means are adapted to store a plurality of sets of provisioning

data for a plurality of accesses to the data network (col. 2, line 57-col. 3, line 32, col. 4,
lines 20-30,col. 9, line 62-col. 10, line 5,col. 15, line 58-col. 16, line 25, col. 17, lines 25-
35).

Regarding claims 5,12 and 19 Stewart et al teaches wherein it includes
identification data storage means for each provisioning set stored in the protected
provisioning data storage means (col. 2, line 57-col. 3, line 32, col. 4, lines 20-30,col. 9,
line 62-col. 10, line 5,col. 15, line 58-col. 16, line 25, col. 17, lines 25-35).

Regarding claims 6,13,20 Stewart et al teaches wherein the protected
provisioning data storage means are in a medium dedicated to an access network or to
an operator (col. 2, line 57-col. 3, line 32, col. 4, lines 20-30,col. 9, line 62-col. 10, line
5,col. 15, line 58-col. 16, line 25, col. 17, lines 25-35).

Regarding claims 7, 17, and 21 Stewart et al teaches wherein the protected
provisioning data storage means are in a medium dedicated to an access or content
provider (col. 2, line 57-col. 3, line 32, col. 4, lines 20-30,col. 9, line 62-col. 10, line 5,col.
15, line 58-col. 16, line 25, col. 17, lines 25-35).

Regarding claim 23 Stewart et al teaches a method of accessing a data
network by a telecommunication terminal, the method comprising (figs. 1-5):

identifying a user and a network (col. 2, line 57-col. 3, line 32, col. 4, lines 20-
30,col. 9, line 62-col. 10, line 5,col. 15, line 58-col. 16, line 25, col. 17, lines 25-35);

checking storage for a protected provisioning data that cannot modified without
user intervention (col. 2, line 57-col. 3, line 32, col. 4, lines 20-30,col. 9, line 62-col. 10,
line 5,col. 15, line 58-col. 16, line 25, col. 17, lines 25-35); when said provisioning data

is detected, using said provisioning data; and when said provisioning data is not

detected, requesting current provisioning data (col. 2, line 57-col. 3, line 32, col. 4, lines

20-30,col. 9, line 62-col. 10, line 5,col. 15, line 58-col. 16, line 25, col. 17, lines 25-35);

wherein said storage is in one of: the terminal; a medium dedicated to an access

provider; a medium dedicated to an access net work (col. 2, line 57-col. 3, line 32, col.

4, lines 20-30,col. 9, line 62-col. 10, line 5,col. 15, line 58-col. 16, line 25, col. 17, lines

25-35), wherein before storing in said storage said protected provisioning data, the user

is queried whether said protected provisioning data is to be stored (col. 2, line 57-col. 3,

line 32, col. 4, lines 20-30,col. 9, line 62-col. 10, line 5,col. 15, line 58-col. 16, line 25,

col. 17, lines 25-35).

Regarding claim 24 Stewart et al teaches wherein the provisioning data is

primary provisioning data to access the data network (col. 2, line 57-col. 3, line 32, col.

4, lines 20-30,col. 9, line 62-col. 10, line 5,col. 15, line 58-col. 16, line 25, col. 17, lines

25-35).

Response to Arguments

4.   Applicant's arguments with respect to claims 1-24 have been considered but are

moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the

Examiner should be directed to Khawar Iqbal whose telephone number is (571) 272-
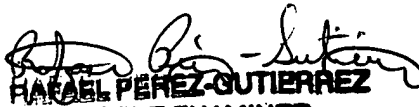
7909.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Marsha D. Banks-Harold can be reached on (571) 272-7905. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free) or 703-305-3028.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/customer service whose telephone number is (571) 272-2600.

Khawar Iqbal

RAFAEL PEREZ-GUTIERREZ
PATENT EXAMINER
5/27/05